

TABLE OF ATTACHMENTS TO NOTICE OF APRIL 19, 2006, NOTICE OF INTENT
TO SUE FOR VIOLATION OF ENDANGERED SPECIES ACT – FAILURE TO
CONSULT ON EFFECTS OF NPDES DELEGATION AND OVERSIGHT ON
THREATENED PUGET SOUND CHINOOK SALMON

- 1 Chapter II of Statewide Strategy to Recover Salmon, Extinction is Not an Option, Washington State Joint Natural Resources Cabinet, Sept. 21, 1999
- 2 2005 – 2007 Puget Sound Conservation & Recovery Plan, Puget Sound Action Team, Office of the Governor, State of Washington, August 2005
- 3 Chapter 3 of Draft Puget Sound Salmon Recovery Plan, Shared Strategy for Puget Sound, December 2005
- 4 Biological Opinion for SR 524, 24th Avenue West to SR 527 Widening, National Marine Fisheries Service, July 11, 2005
- 5 National Pollutant Discharge Elimination System Memorandum of Agreement Between the Washington Department of Ecology and the United States Environmental Protection Agency Region 10, January 9, 1990
- 6 E-mail message from Diane Smith, Department of Ecology, January 25, 2006
- 7 Effects on Puget Sound Chinook Salmon of NPDES Authorized Toxic Discharges as Permitted by Washington Department of Ecology, David LaLiberte and Richard D. Ewing, April 17, 2006
- 8 Environmental Performance Partnership Agreement, Washington Department of Ecology and U.S. Environmental Protection Agency, Pub. No. 05-01-001, July 2005
- 9 Stormwater Management and Recovery of Puget Sound Chinook Salmon, Steward and Associates, February 2, 2006
- 10 Municipal Stormwater NPDES Permit Program, Report to the Legislature, Washington Department of Ecology, Pub. No. 04-10-010, January 2004
- 11 “Why is Stormwater a Problem?” Puget Sound Online, Puget Sound Action Team, downloaded from http://www.psat.wa.gov/Programs/stormwater/why_stormwater.htm on April 10, 2006
- 12 Draft Fact Sheet for NPDES and State Waste Discharge General Permit for Discharges from Large and Medium Municipal Separate Storm Sewers, Washington Department of Ecology, March 22, 2006

- 13 NPDES and State Waste Discharge General Permit for discharges from municipal separate storm sewer systems for the Cedar/Green Water Quality Management Area, Washington Department of Ecology, July 5, 1995
- 14 Portions of the Transcript of the Deposition of Bill Moore, Puget Soundkeeper Alliance v. Snohomish County, United States District Court for the Western District of Washington, Case No. CV4-2007JLR, January 7, 2005
- 15 Letter from K. Berg, U.S. Fish and Wildlife Service, and S. Landino, National Marine Fisheries Service, to E. O'Brien, Washington Department of Ecology, and attached Comments to the Washington State Department of Ecology from NOAA Fisheries and U.S. Fish and Wildlife Service on the Proposed Changes to the Stormwater Management Manual for Western Washington, December 23, 2004
- 16 Letter from S. Landino, National Marine Fisheries Service, to J. Manning, Washington Department of Ecology, Re: Ecology's Proposed Revisions to the 2001 Stormwater Management Manual for Western Washington and Interagency Coordination, June 3, 2005
- 17 E-mail message from D. Poon, EPA, to various persons, Re: Stormwater, ESA, and CWA, the upcoming work with Ecology, March 18, 2005
- 18 E-mail message from D. Kirkpatrick, NMFS, to various persons, Re: Services ESA Supplemental Stormwater Guidance Outline, and attached outline, October 6, 2005
- 19 List of cities, towns, and counties which tentatively fall under Phase II jurisdiction, Washington Department of Ecology
- 20 Draft Phase I Municipal Stormwater NPDES and State Waste Discharge General Permit, Washington Department of Ecology, February 15, 2006,
- 21 Draft NPDES and State Waste Discharge General Permit for Discharges from Small Municipal Separate Storm Sewers in Western Washington, Washington Department of Ecology, February 15, 2006
- 22 Draft Comments from U.S. Fish and Wildlife Service and National Marine Fisheries Service to Ecology on Preliminary Drafts of Phase I and Phase II Municipal Stormwater General Permits, and attached e-mail messages and draft cover letter, September 21, 2005
- 23 Letter from B. Dickes, Washington Department of Ecology, to R. Simmons, Re: Twin Vistas large lot subdivision, Port Angeles, WA, September 30, 2004
- 24 E-mail message from T. Walters, Washington Department of Ecology, to B. Lider, Re: Collins Hill Plat 03-110651, November 3, 2005

- 25 Fact Sheet for NPDES General Permit for Boatyards, Washington Department of Ecology, undated
- 26 Boatyard General Permit NPDES, Washington Department of Ecology, November 2, 2005
- 27 Letter from J. Rector, Muckleshoot Indian Tribe, to P. Stasch, Washington Department of Ecology, October 10, 1997
- 28 Ranking of Boatyards Based on Stormwater Copper Concentration with body of water locations, prepared by M. Kruse, Northwest Marine Trade Association, March 31, 2003, and used by Washington Department of Ecology Boatyard General Permit Advisory Committee
- 29 Form letter from R. Marshall, Washington Department of Ecology, to Boatyard General Permit permittees, on or about November 7, 2003, with attachments for permittees that submitted monitoring data
- 31 E-mail message from R. Marshall, Washington Department of Ecology, to various persons, Re: boatyard permit, October 8, 2003
- 32 EPA-823-B-94-001, Memorandum on Use of the Water-Effect Ratio in Water Quality Standards, from T. Davies, to Water Management Division Directors, Regions I – X State Water Quality Standards Program Directors, February 22, 1994, from Appendix L, EPA Water Quality Standards Handbook, Second Ed. August 1994
- 33 Section on Water Effect Ratio from Appendix 6 of Water Quality Program Permit Writer's Manual, Washington Department of Ecology, Pub. No. 92-109, July 2005
- 34 NOAA Fisheries Service Review of the NPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity and cover letter from A. Somma, National Marine Fisheries Service, to J. Hanlon, EPA, February 15, 2006
- 35 Memo from G. Bailey, Washington Department of Ecology, to M. Selby, Washington Department of Ecology, Re: Comparison of proposed benchmarks and proposed effluent limits for boatyards, August 16, 2004
- 37 E-mail message from R. Marshall, Washington Department of Ecology, to various persons, Re: Ecotox, May 5, 2003
- 38 Portions of the Responsiveness Summary for the General Boatyard NPDES Permit, Washington Department of Ecology, Pub. No. 97-25, December 1997

- 39 Fact Sheet for Industrial Stormwater General Permit, Washington Department of Ecology, 2002
- 40 The Industrial Stormwater General Permit, Washington Department of Ecology, August 21, 2002
- 41 A Survey of Zinc Concentrations in Industrial Stormwater Runoff, S. Golding, Washington Department of Ecology, Pub. No. 06-03-009, January 2006
- 42 Assessment of Industrial Stormwater General NPDES Permit Data, R. Smith & H. Trim, April 16, 2006
- 43 Letter from S. Landino, National Marine Fisheries Service, and K. Berg, U.S. Fish and Wildlife Service, to R. Smith, EPA, Re: Washington State Department of Ecology, Cascade Pole NPDES draft Permit (No. 0037953), June 22, 2001, with attached document entitled “Remaining ESA Issues for Cascade Pole NPDES permit”
- 44 Letter from S. Landino, National Marine Fisheries Service, to K. Susewind, Washington Department of Ecology, Re: Comment on the Public Notice Draft NPDES Stormwater Discharge Permit for Cascade Pole and Lumber Company, April 3, 2001
- 45 Letter from K. Berg, U.S. Fish and Wildlife Service, to L. Conger, Washington Department of Ecology, Re: Waste Discharge Permit No. WA0037953, April 10, 2001
- 46 GIS maps of current Washington Department of Ecology NPDES permits (excluding general stormwater permits) and Puget Sound Chinook critical habitat
- 47 GIS maps of current Washington Department of Ecology Industrial Stormwater General NPDES permits (and Boatyard General Permits) and Puget Sound Chinook critical habitat
- 48 GIS maps of current Washington Department of Ecology Boatyard General NPDES permits and Puget Sound Chinook critical habitat